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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 04, 2017

UNITED STATES DISTRICT COURT SEAN F. McAVOY, CLERK
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

No. 17-CR-02038-SMJ-5

Plaintiff,

v.

JOSE CERVANTES-VARGAS, (05),

Defendant.

**ORDER GRANTING MOTION TO
WITHDRAW AND REFERING
THIS MATTER TO MAGISTRATE
JUDGE DIMKE FOR
APPOINTMENT OF COUNSEL**

EX PARTE

Before the Court, without oral argument, is David M. Miller's Motion to Withdraw as Counsel for Defendant Jose Cervantes-Vargas, ECF No. 352. Having reviewed the pleadings and the file in this matter, the Court is fully informed and finds good cause to grant the Motion. The Court permits David M. Miller to withdraw. Because Defendant qualifies for appointment of counsel under the Criminal Justice Act, the Court refers this matter to Magistrate Judge Dimke for appointment of counsel

Accordingly, **IT IS HEREBY ORDERED:**

1. Mr. Miller's Motion to Withdraw as Counsel for Defendant Jose Cervantes-Vargas, ECF No. 352, is **GRANTED**.

2. The Clerk's Office shall **TERMINATE** David M. Miller as counsel for Defendant.

3. This case is **REFERRED** to Magistrate Judge Dimke for appointment of new defense counsel.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and
de copies to all counsel, Magistrate Judge Dimke, the U.S. Probation Office,
the U.S. Marshal's Service.

DATED this 4th day of December 2017.

Salvador Menerza Jr.
SALVADOR MENERZA, JR.
United States District Judge